

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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November 22, 2023

Via ECF

Hon. Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

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**Re: United States v. Alexander Chan
20 Cr. 160 (MKV)**

Dear Judge Vyskocil,


I write to respectfully request that the revised final Presentence Investigation Report (PSR) that the Court ordered at the sentencing of Alexander Chan be entered on the docket and provided to the Bureau of Prisons (BOP). The Government takes no position on this request.

In connection with Dr. Chan's sentencing in this matter, the defense requested that the final revised PSR incorporate information regarding the prescriptions Dr. Chan was receiving for certain preexisting medical conditions. (*See* Doc. 1086 at App'x A & Exs. KK, LL; Doc. 1103, Sent. Tr. 13:4–18:7.) In response to these requests, the Court stated that it would “direct that [Paragraphs 132 and 133 of the PSR] be revised to include all of those prescriptions.” Doc. 1103, Sent. Tr. 18:4–5. It does not appear, however, that the revised final PSR reflecting these changes was entered on the docket.

Because an issue with Dr. Chan's medical care and prescriptions while he is in BOP custody has now arisen, we respectfully request that the Court direct the Probation Department to make the revisions to the final revised PSR that the Court ordered at sentencing, enter the final revised PSR on the docket, and make the final revised PSR available to the BOP.

As stated on the record at the sentencing hearing of Defendant Chan, *see* ECF No. 1103 at 18:3–7, the Court's revisions to the PSR (including the revisions to Paragraphs 132 and 133) were contained in the Statement of Reasons. The Court specifically stated that Paragraph 132 of the PSR should be amended to reflect Defendant Chan's various medications. The Statement of Reasons was provided to Probation and to the BOP. If there is an issue with the BOP not providing Defendant Chan those medications, Defendant should submit a proposed Order and the Court will enter it. SO ORDERED.

Date: 11/28/2023
New York, New York


Mary Kay Vyskocil
United States District Judge

Respectfully submitted,

/s/

Neil P. Kelly
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